

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

United States of America,

Plaintiff,

V.

No.: 3:09-CR-136-PLC-CCS-1

Celia Dee Gibson,

Defendant.

Memorandum and Order

This matter comes before the Court on the defendant's *pro se* motion for early termination of supervised release [Docket No. 20]. In support of her motion, the defendant states she has passed all drug screens and complied with all rules set by her supervising probation officer. She got married on May 17, 2014, and has an opportunity for a new, better job, but cannot get the job while on probation.

The defendant's probation officer reports she has done well on supervision, and has maintained employment as a CNA at a nursing home. The defendant has passed all drug screens; automated criminal record inquiries reveal no new arrests or criminal actions; and the defendant has paid her restitution and special assessment in full. Her probation officer, therefore, has no objection to the early termination of probation. The government has also informed the Court it has no objection to early termination of the defendant's probation.

The defendant pled guilty to burglary and was sentenced to five years of probation. The record shows that the defendant has completed more than half her ordered term of probation (4

of 5 years). She has paid her restitution and special assessment in full. Defendant moves for early termination of probation pursuant to 18 U.S.C. § 3564(c) which provides:

The court, after considering the factors set forth in section 3553(a) to the extent that they are applicable, may, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant at any time in the case of a misdemeanor or an infraction or at any time after the expiration of one year of probation in the case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

After carefully considering the requirements of the statute, the Court finds the relevant portions of 18 U.S.C. § 3553(a) support an early termination of the defendant's probation. In support of this determination, the Court notes that the defendant has completed more than one year of her term of probation and the defendant is in compliance with the conditions of her supervision. The Court also notes that Defendant has done well on supervision; maintained steady employment since her release from prison; married; completed her restitution payments; and established independent living arrangements during supervision. In addition, neither her probation officer nor the government object to early termination. Accordingly, pursuant to 18 U.S.C. § 3564(c), based on the defendant's conduct and the interests of justice, the defendant's motion for early termination of probation is **Granted**. The defendant's term of probation is **Terminated**.

It is so ORDERED.


UNITED STATES DISTRICT JUDGE